



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

Chuck

DEC 15 1995

REPLY TO THE ATTENTION OF:

WU-17J

Robert M. Krill, Director
Bureau of Water Supply
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, Wisconsin 53707

Dear Mr. Krill:

On September 11, 1995, representatives of my staff, the Underground Injection Control (UIC) Branch, met with Robert Baumeister, the Chief of the WDNR Public Water Supply Section and Richard Roth of your UIC program staff to discuss your UIC program accomplishments during FY 1995 and determine the future goals and direction of the program and how the United States Environmental Protection Agency (USEPA) Region 5 can assist with the accomplishment of these goals.

Reflecting the maturation of your program and USEPA's commitment to State assistance as opposed to oversight, the length and scope of this review has been significantly reduced from past end-of-year visits. The highlighted topics discussed in this letter are based solely on meetings with your staff. The Region favors the approach involving the discussion of pertinent State topics of mutual concern, with both Agencies working together to propose solutions. Please feel free to comment on both our presentation of the topics and proposed recommendations/conclusions, as we wish to work in partnership with your agency. Also, please let us know if there are any areas in which we can provide either technical or program assistance. Immediately following are the UIC program related topics discussed during the meeting.

Administrative

The State has again achieved many notable program accomplishments during FY 1995, such as the continuation of the county by county injection well inventory effort and the level of commitment to the inspection of all wells added to the State's well data file. The State's UIC Coordinator has continued to be the focal point of the State's UIC program, particularly through his continued creative approaches to public outreach and coordination with other WDNR Bureaus and State Agencies.



Printed on Recycled Paper

Memorandum of Understanding - Remedial Injection Wells

State of Wisconsin administrative rules prohibit traditional injection wells unless they are approved as part of a soil or ground water remediation project. Those septic tank/drainfield systems which fall under Federal UIC definition are regulated by the State program, although they are not classified as injection wells under State rules. The Memorandum of Understanding (MOU) which is being developed will confer the authority to review and approve the use of the remedial injection wells (currently the responsibility of the Water Supply Program) to WDNR staff in the Solid and Hazardous Waste (SW) program's Environmental Response and Repair Section. Delegating this authority to SW staff will enable the Department to streamline the remediation project approval process and avoid many unnecessary delays which may occur with multiple levels of project review. The MOU will outline the basic requirements for a thorough project review and help to ensure that all remedial injection well proposals are evaluated for compliance with basic UIC program requirements.

Storm Water Drainage Well Management Strategy

WDNR is moving cautiously forward with the development and implementation of a management strategy which will address the existence of several hundred shallow drywells which receive storm water runoff from roadways and parking lots in a small number of Wisconsin communities. The Department is extremely concerned that its strategy may be viewed as overly restrictive when compared to the proposed Class 5 regulations which were recently published in the Federal Register. The WDNR submitted official comments on these proposed regulations during the public comment period; the comments addressed these and other concerns which the WDNR shares with the Region.

WDNR UIC staff will continue to work with those communities which are known to have storm water drainage wells to establish education and maintenance programs which will minimize the immediate threat of ground water contamination from spills or illegal discharges. However, it must be recognized that implementation of certain operational requirements may be delayed until after United States Environmental Protection Agency (USEPA) completes and distributes the storm water drainage well guidance document which is to be developed as part of the Class 5 Management Implementation Strategy.

Proposed Statute on Underground Discharge

WDNR has proposed the creation of s. 162.07, Stats., which explicitly prohibits underground discharges unless such discharges are authorized by administrative rules promulgated by the Department. The proposed statutory language is intended to strengthen existing administrative rules which restrict the use of injection wells in Wisconsin and provide the WDNR with the authority to regulate discharges to open sinkholes. The statute is supported by WDNR UIC staff. Adoption would not be a substantive change to the current State UIC primacy program.

Industrial Disposal Wells

Approximately 50 automotive service stations have been identified as facilities which have at least one service bay floor drain connected via the building's plumbing to an on-site wastewater disposal system (i.e. septic tank and drain field). Although existing State administrative rules state that only sanitary-type wastes are to be discharged to the drains, inspection and sampling of the wastewater found in these fixtures often shows that other nondomestic wastes are also being discharged to these drains.

Over the past three years, WDNR has worked closely with the Department of Industry, Labor, and Human Relations to prevent the installation of these drains in new construction. Efforts are now turning to the development of educational material for existing facilities. During FY 1996 the Department also hopes to recontact and reinspect all of the sites listed on the existing State inventory in order to verify the level of regulatory compliance at each facility.

Class 5 Symposium

USEPA Region 5 and WDNR were co-sponsors of the Class 5 Symposium held at Lake Geneva, Wisconsin, during the week of September 18, 1995. The meeting was a great success as it brought together representatives from the States of Minnesota, Wisconsin, Ohio, Illinois and the Mille Lacs Band of Chippewa Indians to discuss common problems and seek alternative solutions. The many accomplishments of the Wisconsin program were clearly showcased

through the participation of various WDNR Bureaus and District Offices along with State Universities, other State Agencies and counties. The meeting helped develop a team spirit among the participants which led to the development of 16 follow-up points including monthly conference calls on Class 5 issues and greatly increased intercommunication among the parties. The Region is very appreciative of the State's major role in this effort.

Recommendations and Conclusions

We wish to compliment you on an excellent Class 5 program which continues to receive National recognition. We look forward to assisting you in following up on the fine work that your Agency has completed in FY 1995 and to a working partnership with you and your Agency during FY 1996.

If we can be of any assistance to you, or if you have any questions or comments about the topics mentioned in this letter, please contact Charles Anderson of my staff at (312) 886-1501. We appreciate your continued support of the UIC program, and the dedication and efforts of your staff.

Sincerely yours,

/s/ det

Rebecca L. Harvey, Chief
Underground Injection Control Branch